

Dear Senators TIPPETS, Patrick, Schmidt, and  
Representatives HENDERSON, Thompson, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Idaho Board of Professional Engineers and Professional Land Surveyors:  
IDAPA 10.01.03 - Rules for Corner Perpetuation and Filing - Proposed Rule (Docket No. 10-0103-1401).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 10/10/2014. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/10/2014.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the memorandum attached below.



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

---

*Serving Idaho's Citizen Legislature*

## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee  
**FROM:** Senior Legislative Research Analyst - Ryan Bush  
**DATE:** September 23, 2014  
**SUBJECT:** Idaho Board of Professional Engineers and Professional Land Surveyors

IDAPA 10.01.03 - Rules for Corner Perpetuation and Filing - Proposed Rule (Docket No. 10-0103-1401)

The Board of Professional Engineers and Professional Land Surveyors submits notice of proposed rule-making at IDAPA 10.01.03 - Rules for Corner Perpetuation and Filing. The Board states that this rule will "require surveyors to perpetuate historic corner record information on the Corner Perpetuation and Filing (CP&F) forms filed or recorded in the county courthouse in lieu of listing all corner record instrument numbers on the Record of Survey map." The Board further states that there is insufficient room on the map to list all corner record instrument numbers without creating a map that is not legible to read. In addition, this rule now requires a sketch of monument and accessories found or established to perpetuate the location of a corner as well as a description.

Negotiated rulemaking was conducted and Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the August Idaho Administrative Bulletin. A public hearing concerning this rulemaking will be held in Meridian on October 14. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Board in Section 54-1208, Idaho Code.

cc: Idaho Board of Professional Engineers and Professional Land Surveyors  
Keith Simila, P.E.

**IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS  
AND PROFESSIONAL LAND SURVEYORS**

**10.01.03 - RULES FOR CORNER PERPETUATION AND FILING**

**DOCKET NO. 10-0103-1401**

**NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-1208, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing concerning this rulemaking will be held as follows:

**Tuesday – October 14, 2014 – 9:00 A.M. (MDT)**

**1510 E. Watertower Street  
Meridian, ID 83642**

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The amendments will require surveyors to perpetuate historic corner record information on the corner perpetuation and filing (CP&F) forms filed or recorded in the county courthouse in lieu of listing all corner record instrument numbers on the record of survey map. The reason for this change is that over time, the number of CP&F record filings are increasing, and there is insufficient room on the record of survey map to continue the practice of listing all corner record instrument numbers without creating a cluttered map that is less legible to read. Only the most current corner record instrument number is proposed for listing on the Record of Survey map. A change to 55-1906, Idaho Code is proposed that removes the requirement for listing all corner record instrument numbers on the record of survey map.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

There is no fee associated with this rule change.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking:

There is no fiscal impact to the state general fund or the agency dedicated fund.

**NEGOTIATED RULEMAKING:** In accordance with Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the August 6, 2014 Idaho Administrative Bulletin, [Vol. 14-8, page 39](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

There are no materials incorporated by reference in this rulemaking.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Keith Simila, (208) 373-7210.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2014.

DATED this 27th Day of August, 2014.

Keith Simila, P.E.  
Executive Director  
1510 Watertower St.  
Meridian, Idaho 83642  
Telephone: (208) 373-7210  
Fax: (208) 373-7213  
Email: [keith.simila@ipels.idaho.gov](mailto:keith.simila@ipels.idaho.gov)

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 10-0103-1401**  
**(Only those Sections being amended are shown.)**

**007. RECORD OF ORIGINAL CORNER AND SUBSEQUENT HISTORY.**

Information provided in this section shall include the name of the original surveyor and the date or dates on which the original survey was performed and a description of the original monument set. The information shall also include the history of subsequent remonumentation, including the name(s) of the surveyor(s), the agency or company they represented, the date(s) of the survey(s) and a description of all monuments found or set, including all monuments and accessories which are not shown on previously recorded corner records. Information provided in this section shall also include the instrument numbers of all previously recorded corner records, or the filing information if the corner record was not recorded, pertaining to the corner in question. (7-1-93)( )

**008. DESCRIPTION OF CORNER EVIDENCE FOUND.**

Information provided in this section shall include a description of any evidence found relating to the original corner. If no evidence of the original corner is found, the same evidence of a subsequent remonumentation shall be indicated on the form. (7-1-93)( )

**009. DESCRIPTION AND SKETCH OF MONUMENT AND ACCESSORIES FOUND OR ESTABLISHED TO PERPETUATE THE LOCATION OF THIS CORNER.**

Information provided in this section shall include a description and a sketch of the monument and accessories found or placed in the current survey as well as the date the work was performed and the true or assumed magnetic declination at the time of the survey if magnetic bearings are used. If magnetic bearings are not used, the professional land surveyor shall indicate the basis of bearing to accessories. (5-8-09)( )